

**NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER**

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, Marcus Hart, as Strong Leader, delegate the decisions Bewdley Neighbourhood Area Designation detailed in the Forward Plan to the Cabinet Member/Officer detailed below:

Cabinet Member/Officer: Councillor John Campion

Dated: 28<sup>th</sup> May, 2015  
Signed:  .....

Leader of the Council


**NOTICE OF DECISION OF CABINET MEMBER**

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Bewdley Neighbourhood Area Designation	<b>To approve the designation of the Parish of Bewdley as a Neighbourhood Area for the purposes of neighbourhood planning.</b>	To enable Bewdley Town Council to progress a Neighbourhood Plan under the provisions of the Localism Act 2011 and in accordance with the Town and Country Planning (Neighbourhood Planning) Regulations 2012, as amended.	1 <sup>st</sup> June 2015

**I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.**

Dated: 28/5/15  
 Signed:   
 Councillor: CAMERON  
 Cabinet Member

To: Cabinet Member for Planning and Economic Regeneration

From: Mike Parker  
Director of Economic Prosperity and Place

28<sup>th</sup> May 2015

## 1. **PURPOSE OF REPORT**

- 1.1 This report seeks Members approval for the designation of Bewdley Parish as a Neighbourhood Area for the purposes of Neighbourhood Development Planning.

## 2. **RECOMMENDATION**

**The Cabinet Member for Place-Shaping is asked to decide that:**

- The Parish of Bewdley, as outlined on the map at Appendix 1 to this report is designated as a Neighbourhood Area for the purposes of Neighbourhood Development Planning.
- The Decision Statement at Appendix 1 to this report is approved for publication.

## 3. **BACKGROUND**

- 3.1 The Localism Act 2011 gave local communities more power to plan for the future of their areas by introducing Neighbourhood Development Plans and Neighbourhood Development Orders. Bewdley Town Council wish to prepare a Neighbourhood Development Plan.
- 3.2 The first formal step in the process of preparing a Neighbourhood Development Plan is the designation of a Neighbourhood Area. On 6<sup>th</sup> April 'The Neighbourhood Planning (General) Regulations 2012' came into force, they were subsequently amended and The Neighbourhood Planning (General) (Amendment) Regulations came into force on 9<sup>th</sup> February 2015. The Regulations set out the minimum legal requirements to be met when preparing a Neighbourhood Development Plan and set out the procedure for designating a Neighbourhood Area.
- 3.3 Regulation 5 requires the Parish Council to apply to the District Council to designate the area that they wish the plan to cover as a Neighbourhood Area. Such an application was received by the District Council on 31<sup>st</sup> March 2015. Regulation 6 requires the District Council to publish the application on its web-site as a minimum to provide the opportunity for representations to be made in support of the designation or otherwise. Following the amendment regulations, an application of the nature of that made by Bewdley Town Council is required to be published for a minimum of 4 weeks and the District Council is required to issue a decision within 8 weeks of the date immediately following the date on which the application was publicised. Therefore, a consultation period was held between Monday 20<sup>th</sup> April and Monday 18<sup>th</sup> May 2015. The District Council is required to issue its decision by no later than Tuesday 16<sup>th</sup> June 2015. During the consultation period, the District Council provided information on its web-site and posters were displayed on the Town Council notice

boards within the proposed area. A press release was also issued by the District Council.

- 3.4 There is an assumption that where a Parish or Town Council chooses to prepare a Neighbourhood Development Plan, this will cover the entire Parish unless there are specific reasons for concentrating on a smaller area. Three representations have been received in response to consultation on the proposed Neighbourhood Area designation. Two of the representations support the designation of the Neighbourhood Area. The third, from North Worcestershire Water Management welcomes the specific reference to addressing flooding within the Neighbourhood Area application letter, and provides some guidance on information and support available in relation to this. No objections have been raised. It is recommended that the Cabinet Member approves the designation of the Parish of Bewdley as a Neighbourhood Area for the purposes of Neighbourhood Development Planning.

#### **4. NEXT STEPS**

- 4.1 Subject to approval, the Decision Notice at Appendix 1 to this report will be published on the District Council's website and a copy will be sent to the Town Council. The next step for the Town Council would be to begin the preparation of their Neighbourhood Development Plan for submission to the District Council, after following the procedures laid down in the 2012 Regulations, as amended. Following submission to the District Council, the Neighbourhood Development Plan would then need to be published for a six week period before going through an Examination and then a local referendum where a minimum of 50% of those voting must be in favour of its adoption.

#### **6. FINANCIAL IMPLICATIONS**

- 6.1 The cost of preparing the Neighbourhood Development Plan will be met by Bewdley Town Council; grant funding is available to meet some of these costs. The District Council will be required to meet the costs of the examination and referendum and this will be met from the existing Neighbourhood Planning budget and additional grant funding available from central government for this purpose.

#### **7. LEGAL AND POLICY IMPLICATIONS**

- 7.1 The District Council is legally required to issue a decision on the area application by Tuesday 16<sup>th</sup> June at the latest.
- 7.2 Should the Neighbourhood Development Plan, once prepared, be approved by the community at a referendum, the District Council will be required to make the plan and it will become part of the Development Plan for the purposes of determining planning applications.

#### **8. EQUALITY IMPACT NEEDS ASSESSMENT**

- 8.1 The Decision does not require an Equality Impact Needs Assessment.

## **9. RISK MANAGEMENT**

- 9.1 If the decision on the area designation is not issued by 16<sup>th</sup> June the Town Council could theoretically legally challenge the District Council.

## **10. CONCLUSION**

- 10.1 The District Council has received a request from Bewdley Town Council to designate Bewdley Parish as a Neighbourhood Area. In order to meet the requirements of the relevant regulations, a decision needs to be issued by the 16<sup>th</sup> June 2015. A consultation has been held and all responses have been considered. It is recommended that the area be designated.

## **11. CONSULTEES**

- Principal Solicitor

## **12. BACKGROUND PAPERS**

- Bewdley Town Council Neighbourhood Area Application - <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/neighbourhood-planning/bewdley-neighbourhood-plan.aspx>